

2009 DRAFTING REQUEST**Bill**Received: **10/02/2008**Received By: **mkunkel**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Rhodes**This file may be shown to any legislator: **NO**Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Higher Education - tech. college**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Rhodes, BB0164 -

Topic:

Technical college nonresident tuition

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|--------------------|------------------------|----------------|------------------------|-----------------|-----------------|
| /? | | | | _____ | | | S&L |
| /P1 | mkunkel 10/07/2008 | jdye 10/08/2008 | rschluet 10/08/2008 | _____ | sbasford 10/08/2008 | | S&L |
| /P2 | mkunkel 10/10/2008 | jdye 10/10/2008 | rschluet 10/10/2008 | _____ | sbasford 10/10/2008 | | |

FE Sent For:

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|--------------|-----------------------|---------------------|------------------------|----------------|------------------------|-----------------|-----------------|
| /? | | <i>P2 10/10 jld</i> | | | | | S&L |
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FE Sent For:

[Signature]
<END>

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| | | | | | | | |
|----|---------|-------------|---|--|--|--|--|
| /? | mkunkel | PI 10/8 jld |  | | | | |
|----|---------|-------------|---|--|--|--|--|

FE Sent For:


10/8/08
<END>

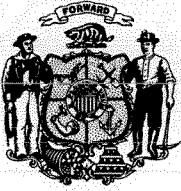
2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Out-of-state Tuition @ 150% of In-State Tuition
- Tracking Code: BB0164
- SBO team: Education, Children & Families
- SBO analyst: Dennis Rhodes
 - Phone: 266-2843
 - Email: Dennis.Rhodes@Wisconsin.gov
- Agency acronym: WTCS
- Agency number: 292
- Priority (Low, Medium, High): Medium

Intent: Change to the statutory language governing nonresident program fees to establish a nonresident program fee equal to 150% of resident program fees.

Section ____ 38.24(3)(a) of the statutes is amended to read:

NONRESIDENT FEES AND LIABILITIES; REMISSIONS. For all students who are not residents of this state, nor subject to reciprocal agreements with the board, annually the board shall establish a fee based on 150% of resident program fees established under s. 38.24(1m). ~~100% of the statewide cost per full-time equivalent student for operating the programs in which they are enrolled.~~



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0493/P1

MDK:.....

10-6-08

NOTE

jd

DOA:.....Rhodes, BB0164 - Technical college nonresident tuition

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

Current law requires the Wisconsin Technical College System Board (WTCS Board) to establish tuition for resident and nonresident students. For a resident student, the WTCS Board must comply with requirements that depend on whether the student is enrolled in a liberal arts collegiate transfer program or in a postsecondary or vocational-adult program. For a nonresident student, the WTCS Board must establish tuition based on 100 percent of the statewide cost per full-time equivalent student for operating the program in which the student is enrolled.

This bill changes the requirements for nonresident students. The bill requires the WTCS Board to establish tuition for nonresident students based on 150 percent of the program fees that the WTCS Board is required to establish for resident students.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 38.24 (3) (a) of the statutes is amended to read:

1 38.24 (3) (a) For all students who are not residents of this state, nor subject to
2 reciprocal agreements with the board, annually the board shall establish a fee based
3 on ~~100% of the statewide cost per full-time equivalent student for operating the~~
4 ~~programs in which they are enrolled~~ [✓] 150 percent of program fees established under
5 s. 38.24 (1m) (a) and (b). ^{sub. ✓}

History: 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117;
1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25, 253, 320, 468; 2007 a. 20
ss. 738mr to 741, 9121 (6) (a); 2007 a. 130.

6 (END)

d-note
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0493/P1dn

MDK:.....

date

Jld

Dennis Rhodes:

Instead of referring to s. 38.24 (1m), I referred instead to s. 38.24 (1m) (a) and (b). Is that okay, or do you also want the 150% requirement to apply to the fees under s. 38.24 (1m) (c) (materials) and (d) (inmate programs)?

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0493/P1dn
MDK:jld:rs

October 8, 2008

Dennis Rhodes:

Instead of referring to s. 38.24 (1m), I referred instead to s. 38.24 (1m) (a) and (b). Is that okay, or do you also want the 150 percent requirement to apply to the fees under s. 38.24 (1m) (c) (materials) and (d) (inmate programs)?

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

Kunkel, Mark

From: Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]
Sent: Wednesday, October 08, 2008 11:34 AM
To: Kunkel, Mark
Subject: RE: LRB Draft: 09-0493/P1 Technical college nonresident tuition

Mark,

WTCS does want the change made to 38.24(1m) (a) and (b). Material fees are charged 100% to residents and nonresidents alike. Inmates are handled separately.

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.wisconsin.gov]
Sent: Wednesday, October 08, 2008 9:23 AM
To: Rhodes, Dennis - DOA
Cc: Hanle, Bob - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-0493/P1 Technical college nonresident tuition

Following is the PDF version of draft 09-0493/P1.

Kunkel, Mark

From: Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]
Sent: Thursday, October 09, 2008 2:56 PM
To: Kunkel, Mark
Subject: FW: LRB-0493 nonresident tuition

Mark,

Please see Morna's comment and let me know if that's possible.

Thanks,

Dennis

From: Foy, Morna [mailto:morna.foy@wtcsystem.edu]
Sent: Thursday, October 09, 2008 2:55 PM
To: Rhodes, Dennis - DOA
Cc: Zylstra, James E - WTCS
Subject: RE: LRB-0493 nonresident tuition

If it was passed in June or July of 2009, we would already have set tuition for (in March/April) and started the 2009-2010 academic year (summer session is considered 1st semester for WTCS.) However, we would prefer to implement it as soon as possible so could we insert language that said something like "this provision is effective starting the first full semester following enactment of the 2009-11 budget bill"? That way, if the Budget passes in the summer, we could charge the new tuition for fall 2009 and if it passes late (like last time) we could charge it for Spring 2010.

Thanks Dennis (and Mark) for checking in on this.
Morna

Morna K. Foy
Executive Assistant
Wisconsin Technical College System
608.266.2449
608.266.1285 fax
608.267.2483 TTY
morna.foy@wtcsystem.edu

From: Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]
Sent: Wednesday, October 08, 2008 4:25 PM
To: Foy, Morna
Subject: FW: LRB-0493 nonresident tuition

Morna,

When ideally would you want this to kick in?

Thanks,

Dennis

From: Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]
Sent: Wednesday, October 08, 2008 3:52 PM
To: Rhodes, Dennis - DOA
Subject: FW: LRB-0493

Dennis,

Sorry about the mistake, but it looks like the above draft needs an initial applicability provision. See the options that Peter Grant has suggested below. Do you have a preference?

-- Mark

From: Grant, Peter
Sent: Wednesday, October 08, 2008 2:48 PM
To: Kunkel, Mark
Subject: LRB-0493

Do you need an initial app provision on this draft? Something like "first applies to fees charged students in the 2009-10 fall semester"? Or maybe "first applies to fees charged students in the academic year beginning after the effective date...."?

semester



10-10-08
State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0493/P1

MDK:jld:rs

O-NOTE

PM
Has
Been
Run

DOA:.....Rhodes, BB0164 - Technical college nonresident tuition

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

✓
1

do not gen
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 38.24 (3) (a) of the statutes is amended to read:

2 38.24 (3) (a) For all students who are not residents of this state, nor subject to
3 reciprocal agreements with the board, annually the board shall establish a fee based
4 on ~~100% of the statewide cost per full-time equivalent student for operating the~~
5 ~~programs in which they are enrolled~~ 150 percent of program fees established under
6 sub. (1m) (a) and (b).

7 (END)



INSERT 2-6

d-note

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0493/P2ins
MDK:.....

1
2
3
4
5
6

INSERT 2-6:

SECTION 9348. Initial applicability; Technical College System.

(1) NONRESIDENT FEES. The treatment of section 38.24 (3) (a) of the statutes first applies to fees charged to students in the semester beginning after the effective date of this subsection.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0493/P2dn

MDK:1:....

date

MDK

Dennis Rhodes:

This version is identical to the previous version, except for the addition of an initial applicability provision.✓

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0493/P2dn
MDK:jld:rs

October 10, 2008

Dennis Rhodes:

This version is identical to the previous version, except for the addition of an initial applicability provision.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0493/P2

MDK:jld:rs

DOA:.....Rhodes, BB0164 - Technical college nonresident tuition

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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SECTION 9348. Initial applicability; Technical College System.

(1) **NONRESIDENT FEES.** The treatment of section 38.24 (3) (a) of the statutes first applies to fees charged to students in the semester beginning after the effective date of this subsection.

(END)